

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Nicky Juvenal Alvarez-Caceres**

Case Number: **2:21CR00233**

Name of Sentencing Judicial Officer: **Honorable Jennifer G. Zipps**

Date of Original Sentence: **July 31, 2020**

Original Offense: **Reentry of a Removed Alien,**

Original Sentence: **1 Days prison, followed by 36 Months TSR.**

Date Supervision Commenced: **July 31, 2020**

Date Jurisdiction Transferred to District of Nevada: **August 22, 2021**

Name of Assigned Judicial Officer: **Honorable Gloria M. Navarro**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Live At Approved Place** - You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

RE: Nicky Juvenal Alvarez-Caceres

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On May 11, 2023, the undersigned officer attempted to contact Alvarez-Caceres' at his residence but there was no answer. Following the attempted home visit, the undersigned established telephonic contact with Alvarez-Caceres wherein he informed he was no longer residing at his approved residence, stating he was evicted. Alvarez-Caceres stated he was temporarily staying with a friend but did not provide an address. Alvarez-Caceres failed to report his change of residence, nor has he provided an address of where he is staying.

2. **Follow Instructions Of Probation Officer - You must follow the instructions of the probation officer related to the conditions of supervision.**

On May 16, 2023, the undersigned officer contacted Alvarez-Caceres telephonically and instructed him to report to the probation office on May 17, 2023. Alvarez-Caceres failed to follow the probation officer's instruction by not reporting to probation office on May 17, 2023. Alvarez-Caceres has not responded to calls or text messages from the undersigned officer. Alvarez-Caceres' current whereabouts are unknown, and he is considered an absconder from supervision.

RE: Nicky Juvenal Alvarez-Caceres

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **May 31, 2023**

 Digitally signed by
Javier Muruato-Cortez
Date: 2023.05.31
14:23:14 -07'00'

Javier Muruato
U.S. Probation Officer

Approved:

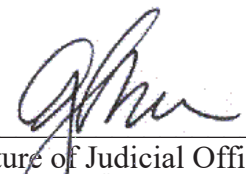


Digitally signed by
Todd Fredlund
Date: 2023.05.31
13:57:32 -07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

May 31, 2023
Date

RE: Nicky Juvenal Alvarez-Caceres

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. NICKY JUVENAL ALVAREZ-CACERES, 2:21CR00233

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
May 31, 2023

By way of case history, on July 31, 2020, Nicky Alvarez-Caceres was sentenced to time served followed by 36 months of supervised release for the offense of Reentry of a Removed Alien. Following sentencing, Alvarez-Caceres was transferred to Immigration and Customs Enforcement (ICE) custody on a detainer.

On December 5, 2020, Alvarez-Caceres was released from ICE custody on an alternative to detention program with ICE-Enforcement and Removal Operations (ERO). Alvarez-Caceres established residence in Las Vegas, Nevada and commenced supervision in the District of Nevada. Jurisdiction of his case was accepted by Your Honor on August 22, 2021.

On May 11, 2023, the undersigned officer attempted to contact Alvarez-Caceres at his approved residence but there was no answer. The undersigned officer contacted Alvarez-Caceres telephonically wherein he reported he was no longer residing at his reported address as he was evicted. Alvarez-Caceres never informed the undersigned officer he was on the verge of being evicted, nor did he notify the officer when he was finally evicted. Alvarez-Caceres stated he was temporarily staying with a friend but did not provide an address.

Alvarez-Caceres was instructed by the undersigned officer to report to the probation office on May 17, 2023, to discuss his living arrangements. Alvarez-Caceres failed to report to the office as instructed. Since, the undersigned officer attempted to contact Alvarez-Caceres telephonically and through text messaging, but he is not responding.

Alvarez-Caceres' current whereabouts are unknown, and he is considered an absconder from supervision. It is respectfully recommended a warrant be issued to initiate revocation proceedings.

Approved:



Digitally signed by
Todd Fredlund
Date: 2023.05.31
13:58:01 -07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

Respectfully submitted,



Digitally signed by
Javier Muruato-Cortez
Date: 2023.05.31
14:22:45 -07'00'

Javier Muruato
U.S. Probation Officer

RE: Nicky Juvenal Alvarez-Caceres

Prob12C
D/NV Form
Rev. March 2017

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America

v.

Nicky Juvenal Alvarez-Caceres

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

No. CR-19-01847-001-TUC-JGZ (BGM)

Frederick Michael Carrillo (CJA)

Attorney for Defendant

USM#: 20048-508

THE DEFENDANT ENTERED A PLEA OF guilty on 7/29/2020 to the Indictment.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating Title 8, U.S.C. §1326(a), Reentry of Removed Alien, with sentencing enhancement pursuant to Title 8, U.S.C. §1326(b)(1), a Class C Felony offense, as charged in the Indictment.

IT IS THE JUDGMENT OF THIS COURT THAT the defendant is committed to the custody of the Bureau of Prisons for a term of **TIME SERVED**. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **THIRTY-SIX (36) MONTHS**.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk the following total criminal monetary penalties:

SPECIAL ASSESSMENT: REMITTED FINE: WAIVED RESTITUTION: N/A

The Court finds the defendant does not have the ability to pay a fine and orders the fine waived.

On motion of the Government, the special assessment is REMITTED.

SUPERVISED RELEASE

It is ordered that while on supervised release, the defendant must comply with the mandatory and standard conditions of supervision as adopted by this court, in General Order 17-18, which incorporates the requirements of USSG §§ 5B1.3 and 5D1.2. Of particular importance, the defendant must not commit another federal, state, or local crime during the term of supervision. Within 72 hours of sentencing or release from the custody of the Bureau of Prisons the defendant must report in person to the Probation Office in the district to which the defendant is released. The defendant must comply with the following conditions:

MANDATORY CONDITIONS

- 1) You must not commit another federal, state or local crime.
- 2) You must not unlawfully possess a controlled substance. The use or possession of marijuana, even with a physician's certification, is not permitted.
- 3) You must refrain from any unlawful use of a controlled substance. The use or possession of marijuana, even with a physician's certification, is not permitted. Unless suspended by the Court, you must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

STANDARD CONDITIONS

- 1) You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of sentencing or your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
- 2) After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
- 3) You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
- 4) You must answer truthfully the questions asked by your probation officer.
- 5) You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 6) You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
- 7) You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

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- 8) You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
- 9) If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
- 10) You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- 11) You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
- 12) If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
- 13) You must follow the instructions of the probation officer related to the conditions of supervision.

SPECIAL CONDITIONS

The following special conditions are in addition to the conditions of supervised release or supersede any related standard condition:

- 1) If deported, you must not re-enter the United States without legal authorization.

THE COURT FINDS that you have been sentenced in accordance with the terms of the plea agreement and that you have waived your right to appeal and to collaterally attack this matter. The waiver has been knowingly and voluntarily made with a factual basis and with an understanding of the consequences of the waiver.

The Court may change the conditions of probation or supervised release or extend the term of supervision, if less than the authorized maximum, at any time during the period of probation or supervised release. The Court may issue a warrant and revoke the original or any subsequent sentence for a violation occurring during the period of probation or supervised release.

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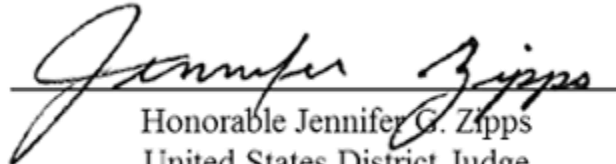
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The Court orders commitment to the custody of the Bureau of Prisons.

Date of Imposition of Sentence: **Friday, July 31, 2020**

Dated this 31st day of July, 2020.


Honorable Jennifer G. Zipps
United States District Judge

RETURN

I have executed this Judgment as follows:

_____ , the institution
defendant delivered on _____ to _____ at _____
designated by the Bureau of Prisons with a certified copy of this judgment in a Criminal case.

United States Marshal

By:

Deputy Marshal

CR-19-01847-001-TUC-JGZ (BGM)- Alvarez-Caceres

UNITED STATES DISTRICT COURT

for the

District of Nevada

United States of America

v.

Nicky Juvenal Alvarez-Caceres

Case No. 2:21CR00233

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* Nicky Juvenal Alvarez-Caceres

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
- ☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice
 ☐ Order of the Court

This offense is briefly described as follows:

Supervised Release Violations

Date: _____

Issuing officer's signature

City and state: _____

Printed name and title

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
 at *(city and state)* _____.

Date: _____

*Arresting officer's signature**Printed name and title*

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: Nicky Juvenal Alvarez-Caceres

Known aliases: Angel

Last known residence: 828 East Flamingo Rd., # 336, Las Vegas NV 89119

Prior addresses to which defendant/offender may still have ties: 818 East Flamingo Rd., #317, Las Vegas NV 89119
6410 Bugbee Ave., Las Vegas NV 89103; 344 E. Desert Inn Rd., #269, Las Vegas NV 89119

Last known employment: Indelible Art, LLC

Last known telephone numbers: 725-227-2472

Place of birth: Peru

Date of birth: February 17, 1982

Social Security number: X

Height: 66 Weight: Brown

Sex: Male Race: White

Hair: Black Eyes: Brown

Scars, tattoos, other distinguishing marks: Unknown.

History of violence, weapons, drug use: DUI, DV, and Distribution/Sales of Methamphetamine

Known family, friends, and other associates (name, relation, address, phone number):

Demariaca Luzmila Cacerez, Mother, 6410 Bugbee Ave., Las Vegas NV 89103.

FBI number: 878731HC8

Complete description of auto: 2018 white Honda Pilot; NV 362-P17

Investigative agency and address: U.S. Probation Office, District of Nevada, 300 Las Vegas, South, Las Vegas NV 89101

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable):

Javier Muruato O: 702-527-7278 C: 702-491-2751

Date of last contact with pretrial services or probation officer (if applicable): Home visit on 02/09/2023; Phone call 05/16/2023.